



CITY OF BIDDEFORD

Planning and Development Department

Greg Tansley, A.I.C.P.
City Planner
205 Main Street
P.O. Box 586
Biddeford, ME 04005
(207) 282-7119 or (207) 284-9115
Greg.Tansley@biddefordmaine.org

Planning Board Meeting Minutes

Date: July 6, 2022
Time: 6:00 PM
Location: Council Chambers & Zoom

1. Pledge of Allegiance
2. Declaration of Quorum/Voting Members
Quorum Present: Bill Southwick (Chair), Roch Angers, Sean Tarpey, Alexa Plotkin & Larry Patoine
Staff Present: Matt Grooms (City Planner), Hannah Bonine (Asst. Planner), & Nan Whitten
Vice Chair Angers opened the meeting at 6:00 PM
3. Adjustments to the Agenda
4. Planner's Business
Planner Grooms announced that Hannah Bonine is leaving the City and this is her last Planning Board Meeting.
5. Consent Agenda
Approval of Meeting Minutes for 6-1-22 & 6-15-22
MOTIONS: 6:04 PM
Patoine-Motion-to Approve Meeting Minutes from 6-1-22 7 6-15-22
Tarpey-Second
Chair Southwick-Roll Call for Vote-Motion Passed, 4-0 (Angers, Tarpey, Plotkin & Patoine)
6. Unfinished Business
7. New Business
7A. 2022.12 Final Site Plan & Conditional Use Permit Application for SteelClad Biddeford, LLC to create a Climate Controlled Self Storage Facility on Enterprise Drive (Tax Map17, Lot 7-2-1) in the I-3 Zone (new lot created from 451 Alfred Street).
Applicant: SteelClad Biddeford, LLC
Agent: Acorn Engineering, Inc.
Tax Map/Lot: 17/7-2-1
Zone: Industrial 3 (I-3)
Overlay: None
Defined Land Use: Auto Sales (Parking lot area for overflow parking)
Application Type: Final Site Plan & Conditional Use Permit Application
Public Comments will be accepted for this item
 - Matt Grooms introduced the project
 - He talked about the easements along Alfred Street

- The Eastern Trail has taken a different direction and are no longer looking at this site.
- There are 7 Conditions of Approval
- It has been documented that there are no wetlands on the site.
- Representing SteelClad:
Bob LeBlanc of SteelClad, LLC
Sam Lebel of Acorn Engineering
Danica Dallam
- There have been minor changes to the site plan in response to the comments from the Planning Board.
- Access is still through West Cole Road
- They are working with CMP about the vegetation with various species. They will be keeping the buffer between the locus & Five Point Auto.
- Ms. Dallam presented the 3 options of colors
- There were no public comments
- The Board asked about the state of the wetlands and the documentation received.
- It was noticed that a part of the application package said 25 parking spaces and another said 26. The applicant created another parking space for a total of 26 spaces, 25 was a typographical error.
- The Thatcher Brook Compensation Fee was mentioned
- The difference in the 3 options was discussed.

MOTIONS: 6:32 PM

Patoine-Motion-To grant the waiver to Article XI, Section 5.B.4.f-to permit pavement within the required side and rear property setbacks.

Angers-Second

Chair Southwick-Roll Call for Vote-Motion Passed 4-0 (Angers, Tarpey, Plotkin & Patoine)

Patoine-Motion-to approve the Final Site Plan for SteelClad Biddeford, LLC for a new three-level self-storage facility (Tax Map 17, Lot 7-2-1) in the I-3 zone and approve the Findings of Fact based on the conditions recommended by Staff in its report dated June 30, 2022.

Angers-Second

Chair Southwick-Roll Call for Vote-Motion Passed 4-0 (Angers, Tarpey, Plotkin & Patoine)

Anger-Motion-to approve the conditional use permit for the use self-storage within the I-3 zone.

Patoine-Second

Chair Southwick-Roll Call for Vote-Motion Passed 4-0 (Angers, Tarpey, Plotkin & Patoine)

7B. 2022.29 Determination of the Greatest Practical Extent for Kate O'Brien Nowak & Derek Nowak to replace the foundation and expand a nonconforming structure in the Coastal Residential, Resource Protection Shoreland Overlay zone at 65 Mile Stretch Road (Tax Map 61, Lot 19-1).

Applicant: Kate O'Brien Nowak & Derek Nowak

Agent: Chris Garland of Caleb Johnson Studios
Zone: Coastal Residential
Overlay: Resource Protection Shoreland
Defined Land Use: Single Family Residential
Application Type: Greatest Practical Extent
Application Status: Request Final Approval
Public comments will be accepted for this item.

- Hannah Bonine introduced the project
- Chris Garland represented the applicant
- The extent of the improvements to the structure triggered a replacement foundation.
- There are new peers for the building 3.4'.
- The loft is being removed so the structure will be no taller.
- One bedroom will be added
- The existing cesspool will be removed and a new septic will be added.
- No one from the public commented.
- The Board questioned the expansion and the approval process for it
- Planner Grooms explained the GPE Permit vs the building permit request

MOTIONS: 6:46 PM

Angers-Motion-to approve the Determination of Greatest Practical Extent for Kate O'Brien Nowak and Derek Nowak based on the approved plan prepared by Tara M. Mullen dated 3-29-21, for 65 Mile Stretch Road and approve the Findings of Fact and Conclusions of Law based on the Conditions outlined in the Staff Report dated June 28, 2022.

Patoine-Second

Chair Southwick-roll call for vote-Motion Passed 3-1 (Angers, Plotkin & Patoine in favor, Tarpey against)

Angers-Motion-The Planning Board authorizes the City Planner to sign the final plan on behalf of the Planning Board and declares that the final plan once signed by the City Planner shall be deemed to have been signed by individual members of the Planning Board.

Tarpey-Second

Chair Southwick-roll call for vote-Motion Passed 4-0 (Angers, Tarpey, Plotkin & Patoine)

7C. 2022.27 Conditional Use Permit Request for Gasland Farms LLC to open a Medical Cannabis caregiver retail store at 10-12 Grays Lane (Tax Map 12, Lot 12) in the Industrial 1 zone.

Applicant: Nick Boss for Gasland Farms LLC

Agent: Jill Polster, Esq.

Tax Map/Lot: 12/12

Zone: Industrial 1 (I-1)

Overly: N/A

Defined Land Use: Commercial Warehouse

Application Type: Conditional Use Permit

Application Status: Request Final Approval

Public comments will be accepted for this item

- **Hannah Bonine introduced the project**
- **Attorney Jill Polster represented the applicant**
- **Matt Laudani the building owner and Nick Boss also represented the applicant**
- **Public Commenters:**
 - Leonard & Joanne Bertrand of 6 Grays Lane**
 - Matt & Maureen Angotti of 4 Grays Lane**
 - Michael Wiley of 16 Grays Lane**
 - Concerns of the public is traffic, odor, quantity of marijuana establishments nearby**
- **The Board shared the concerns of traffic and odor**
- **The applicants are willing to work with the neighbors**
- **The applicants stressed that there will be no odor as the product is prepackaged and there is no cultivation on the site.**
- **Any odor will be lower than the maximum allowed by the City of Biddeford's Odor Ordinance**
- **The neighborhood has the benefit of responsible owners who care about the neighborhood**
- **Chair Southwick reminded the audience that the Board has limited power they have to abide by the ordinance and permitted uses.**
- **The Planner reminded the Board that they must be consistent and cannot set a precedent, this type business is allowed in this zone**
- **Buffering can be a condition of approval**
- **There is no documented evidence of this type of business causing a decline in value in area real estate.**

MOTIONS: 7:25 PM

Plotkin-Motion-to Waive Article XI, Section II-Full Site Plan Review

Angers-Second

Chair Southwick-roll call for vote-Motion passed 3-2 (Tarpey, Plotkin & Southwick in favor, Angers & Patoine against, Chair Southwick breaking the tie)

Plotkin-Motion-to approve the Conditional Use Permit for Gasland Farms LLC for a Medical Marijuana Caregiver store at 10-12 Grays Lane (Tax Map 12, Lot 12) and approve the findings of fact based on the conditions recommended by Staff in its report dated June 28, 2022.

Tarpey-Second

Chair Southwick-roll call for vote-Motion passed 3-2 (Tarpey, Plotkin & Southwick in favor, Angers & Patoine against, Chair Southwick breaking the tie)

8. Other Business

9. Adjourn

Meeting adjourned at 7:35 PM

Planning Board Chair/Vice Chair

Date

These minutes are summary and are not intended to be verbatim. Archived meetings are viewable on the City's website: www.biddefordmaine.org.